

REMARKS

The Office Action dated November 3, 2006 has been received and carefully studied. In addition, the applicant would like to thank the Examiner for his time during the telephonic interview on November 16, 2006.

The Examiner rejects claims 1-7, 10-19, 22-29, 35 and 36 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner states that a golf club cannot be in the user's armpit and not be positioned between the target side arm and the rib cage. By way of the accompanying amendment, claims 1 and 13 have been modified to overcome this rejection.

Specifically, both independent claims describe that the top of the shaft has an end face, and that this end face presses against the user in either the armpit or the front of the shoulder. The end face of the shaft top is clearly different than the shaft itself. Previously, the Examiner has cited Collins as an anticipatory reference. In reviewing Collins, it is clear that Collins does not disclose or suggest that the end face of the shaft top be pressed against the user. In fact, Figure 8 shows the user having the shaft of the club between his arm and his ribcage. In this position, it would be physically impossible for the end face of the shaft top to be pressed against the user's armpit or the front of the user's shoulder. Rather, it is the shaft itself that is against the user's body. Furthermore, the description that accompanies this figure explains that "the grip 74 is positioned between the forward arm of the user and the user's ribs. Note that there is no suggestion or disclosure that the end face of the shaft top

is to be pressed against the user. This is a major attribute of the present invention and is clearly lacking in the previously cited prior art.

The Examiner also rejects claims 1, 10-13, 22-29, 35 and 36 under 35 U.S.C. §103(a) as being unpatentable over the London Evening Standard article cited by the applicant.

Although the applicant disagrees with the Examiner's position, and does not admit that this article makes the present invention obvious, the applicant wishes to save time and expense by submitting a declaration showing that he reduced the invention to practice before the publication date of this article. That declaration is attached to this RCE application.

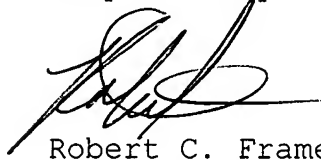
Furthermore, the applicant disagrees with the list of rejected claims stated by the Examiner. For example, the article does not show the actual swing of the user, therefore claims which describe the swing, such as claim 13 and all its associated dependent claims should not be included in this rejection.

The Examiner rejects claims 30 and 32-34 under 35 U.S.C. §103(a) as being unpatentable over Shioda. Although the applicant disagrees with the Examiner's position, and does not admit that the Shioda patent makes the present invention obvious, the applicant wishes to save time and expense by canceling these claims.

The remaining prior art is believed to have been properly not relied upon in rejecting any claim.

Reconsideration and allowance are respectfully
requested in view of the foregoing.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'R. C. Frame', with a stylized, flowing script.

Robert C. Frame

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